

## **REMARKS**

### **Summary**

Reconsideration of the application is respectfully requested

Claims 1-15 have been rejected. Claims 1, 3, 5-6, 8, 10, and 13-15 have been amended. Accordingly, claims 1-15 remain pending. No new matter is added.

Applicants appreciatively acknowledge the Examiner's consideration of the arguments presented in the Applicants' Response mailed March 2, 2006

### **Claim Objections**

In item 2, page 2 of the final Office Action, the Examiner objected to claims 14 and 15 because of informalities. Applicants have amended claims 14 and 15 to correct the noted informalities, obviating the Examiner's objection.

### **Claim Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 1-15 are rejected under 35 U.S.C. §112, second paragraph in item 4, page 3 of the final Office Action. Claims 1 and 13 have been amended to overcome the Examiner's rejections. Applicants respectfully request withdrawal of the rejections.

### **Claim Rejections Under 35 U.S.C. §101**

In item 5, pages 3-4 of the final Office Action, the Examiner rejected claim 15 as being directed to non-statutory subject matter. More specifically, the Examiner states that claim 15 must be amended to include a computer readable medium. Applicants disagree. Claim 15 is a computer system/apparatus claim, the computer system including a processor and memory coupled to the processor including instructions operated by the processor and adapted to perform the operations recited in any one of claims 1-13. Apparatus claims comprised of a processor and coupled to memory having instructions operated by the processor are well known to be statutory subject matter. Computer readable storage media, on the other hand, may be used in the context of an

article of manufacture claim to store instructions, as is the case with claim 14. Accordingly, Applicants submit that claim 15 is in fact directed to statutory subject matter.

**Claim Rejections Under 35 U.S.C. §102(e)**

Claims 1-15 are rejected under 35 U.S.C. §102(e) in item 7, page 4 of the final Office Action as being fully anticipate by US Patent Publication No. 2002/0103720 of *Cline et al.* (hereinafter, Cline). Applicants respectfully disagree.

Amended claim 1 recites a method comprising:

“receiving by a server, a vendor-agnostic data service request initiated by a client device;  
determining by the server, at least a first and a second vendor to provide a first and a second service response to the vendor-agnostic data service request;  
communicating the vendor-agnostic data service request from the server to said first and second vendors, respectively, in accordance with an application programming interface (API) prescribed by the server;  
processing by the server, the first and second service responses supplied by the first and second vendors respectively, to create a response object for the vendor-agnostic data service request, the response object including the first and second service responses; and  
providing the response object to a framework service associated with the client device to create a solution set for the client device including at least the response object.”

In contrast, Cline simply teaches a server adapted to facilitate a client in discovering a service provided by a vendor and in requesting that service. The client of Cline, as shown in Figure 3, browses a service directory of the server to discover a desired service. The client then selects the service, and receives an applet or form from the server to fill out to enable the client to interact with the service requester of the server

to request the service. After filling in the form or applet, the client may send the form/applet to the service requester of the server. The service requester may then request service from a vendor on the client's behalf, and the vendor then provides service to the client (see Figure 1).

Accordingly, Cline does not teach a "vendor-agnostic data service request," as is claimed by amended claim 1 of the present invention. The only service request initiated by the client in Cline (i.e., the submitting of the applet/form) is a vendor-specific service request. The service request in Cline is based on a specific service of a specific vendor discovered by the client in browsing the service directory. Thus, the service request is not a generic request to be addressed by a vendor of the server's choosing, as is claimed in amended claim 1, but a specific request for service from a specific vendor.

Also, as is expressly disclosed by Cline (see paragraphs [0020]-[0023], page 2), the data service request is directed to one vendor offering one service. While multiple vendors are disclosed as advertising themselves through the service directory of the server, each request from a client is only taught to be a service request to one specific vendor offering one specific service (See id.). Thus, nothing in Cline mentions, requires, or suggests "determining by the server, at least a first and a second vendor to provide a first and a second service response to the vendor-agnostic data service request," as is claimed by amended claim 1.

Lastly, Cline does not teach the creation, by the server, of a response object including the service responses of the vendors, nor the providing of that object to a framework service associated with the client. Cline simply does not discuss the processing of a service response from the vendor, much less the creation of a response object including the vendor response. At best, Cline merely suggests routing, by the server, of the vendor response to the client (see paragraph [0028], page 2). Nothing resembling a framework service, capable of developing a solution set in a format the

client can understand from the service responses of the response object, is disclosed or suggested.

Therefore, Cline clearly fails to teach or suggest at least the above discussed recitations of amended claim 1 and, thus, for at least these reasons, amended claim 1 is patentable over Cline under 35 U.S.C §102(e).

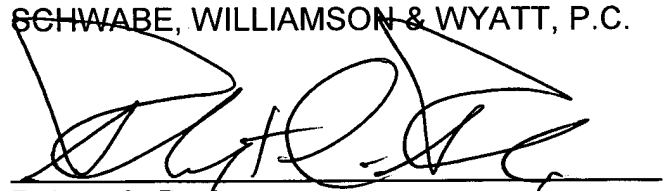
Claims 2-15 depend from amended claim 1, incorporating its limitations. Therefore, for at least the same reasons, claims 2-15 are patentable over Cline under 35 U.S.C. 102(e).

### **Conclusion**

In view of the foregoing, Applicant respectfully submits that claims 1-15 are in condition for allowance, and early issuance of the Notice of Allowance is respectfully requested. If the Examiner has any questions, he is invited to contact the undersigned at (206) 407-1513. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

A handwritten signature in black ink, appearing to read 'R. C. Peck', is written over a horizontal line.

Robert C. Peck  
Registration No. 56,826

Dated: August 7, 2006

Pacwest Center, Suite 1900  
1211 SW Fifth Avenue  
Portland, Oregon 97204  
Telephone: 503-222-9981